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PART II—Section 2

प्रधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 3rd August, 1972:—

BILL No. XXIV OF 1972

A Bill further to amend the Delhi University Act, 1922.

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Delhi University (Amendment) Act, 1972. Short title and commencement.

(2) It shall be deemed to have come into force on the 22nd day of June, 1972. Amendment of section 4.

8 of 1922.

2. In section 4 of the Delhi University Act, 1922 (hereinafter referred to as the principal Act), after clause (9), the following clauses shall be inserted, namely:—

“(9A) to declare, colleges conducting courses of study in the Faculties of Medicine, Technology, Music or Fine Arts, as autonomous colleges:

Provided that the extent of the autonomy which each such college may have, and the matters in relation to which it may exercise such autonomy, shall be such as may be prescribed by the Statutes;

(9B) to set up one or more College Councils for two or more colleges with such composition, powers and functions as may be laid down in the Statutes;".

Amendment of section 28. 3. In section 28 of the principal Act, after clause (h), the following clauses shall be inserted, namely:—

"(hh) the extent of the autonomy which a college, declared as an autonomous college under clause (9A) of section 4, may have and the matters in relation to which such autonomy may be exercised;

(hhh) the composition, powers and functions of College Councils".

Amendment of section 29. 4. In section 29 of the principal Act, for sub-sections (2), (3), (4), (5) and (6), the following sub-sections shall be substituted, namely:—

"(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes:

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the previous approval of the Visitor who may sanction, disallow or return it to the Executive Council for further consideration."

Repeal and saving. 5. (1) The Delhi University (Amendment) Ordinance, 1972, is hereby repealed. 5 of 1972.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The question of reorganisation of the Delhi University has been under consideration for quite some time. On the request of the Ministry of Education, the University Grants Commission constituted a Committee under the chairmanship of the Vice-Chancellor of the Delhi University to go into the administrative and organisational difficulties (including University-College relationship) of the University. The Committee submitted its Report and its recommendations are as follows:—

(a) The Act should be amended to give power to the University to declare certain colleges as autonomous colleges.

(b) The Colleges may be grouped together into two or three groups and a College Council may be appointed to look after each group of colleges. A College Council should have the same powers as the Executive Council and should be headed by a full-time Chairman, appointed by the Visitor on the recommendation of the Vice-Chancellor or the Executive Council.

2. The University Grants Commission while considering the Report of the Committee had strongly supported the concept of autonomous colleges and decentralisation of administration.

3. After consideration of the recommendations of the said Committee and the views of the Vice-Chancellor, the Delhi University Act was amended by an Ordinance so that the University may have the following powers before the commencement of the next academic session, namely:—

(a) to declare colleges conducting courses of study in the Faculties of Medicine, Technology, Music and Fine Arts as autonomous colleges;

(b) to empower the University to set up one or more College Councils;

(c) to empower the Executive Council of the University, instead of the Court, to make new or additional Statutes or amend the existing statutes with the approval of the Visitor of the University.

4 The Bill seeks to replace the said Ordinance.

S. NURUL HASAN.

NEW DELHI;
The 21st July, 1972.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill proposes to insert two new clauses in section 28 of the principal Act dealing with the power to make Statutes. The matters in respect of which Statutes may be made under the new clauses relate to the extent of the autonomy which a college, declared as an autonomous college, will have and the composition, powers and functions of College Councils.

Clause 4 of the Bill proposes to substitute sub-sections (2) to (6) of section 29 of the principal Act by new sub-sections so as to empower the Executive Council of the University, instead of the Court as at present, to make new or additional Statutes or amend or repeal the Statutes with the previous approval of the Visitor. The matters on which Statutes may be made by the Executive Council relate to the constitution and powers of the authorities of the University, the appointment, powers and duties of officers of the University and other matters.

The matters in relation to which Statutes may be made, amended or repealed are matters of procedure or detail which may hardly be provided in the Act. The delegation of the legislative power is, therefore, of a normal character.

B. N. BANERJEE,
Secretary.